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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,481	05/10/2005	Maarten Peter Bodlaender	NL 021126	7011
24737 7590 07/20/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
			EXAMINER CHBOUKI, TAREK	
			ART UNIT 2109	PAPER NUMBER
			MAIL DATE 07/20/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/534,481	Applicant(s) BODLAENDER ET AL.	
	Examiner Tarek Chbouki	Art Unit 2100	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 1,2,12,16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/10/2006, 05/23/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

1. The certified copy is included hence Foreign Priority Date (11/15/2002) was granted.
2. Claims 1-17 has been examined.
3. This office action is in response to the preliminary amendment filed on May, 10 2005

#### *Claim Objections*

4. Claims 1, 2, 12 and 16 are objected. No reference numbers should be added in the claim.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Bieganski, Paul  
(US Patent No. 6321221)

*As per Claim 1, Bieganski discloses:*

**A method of operating with content items in a community-based recommendation system; the method comprising the steps of:**

**initializing (203) a first element of a user preference**

**profile with a first preference value, the first element being associated with a first content item;**

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(Column 2, line 20-25, the preference is presented as numerically valued data, the data value may represent a one-dimensional axis of preference, with the midpoint indicating an ambivalent preference for the item, a low value indicating a strong dislike for the item, and a high value indicating a strong preference for the item) and column 6, line 12-13, The engine builds and maintains an interest profile for each user that occurs in the user preference data, and Column 6, line 42-47, the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two profiles may be measured by counting the items that are shared by the two profiles, touches base upon the process of creating/maintaining a users profile generating a plurality of preference values and their initial values which are considered when attempting to make a recommendation).

**determining (205) at least one related content item**

**related to the first content item;**

(Column 1, line 63-66, recommender system determines its recommendations by examining previous user preference data. The preference data can be unary or numerically valued. Unary preference data is a set of customer-item pairs, illustrates the determination process of the item).

**And setting (207) a second preference value of an element of  
the user preference profile, associated with the at least one related content item.**

(Column 6, line 12-13, The engine builds and maintains an interest profile for each user that occurs in the user preference data, and Column 6, line 42-47, the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two profiles may be measured by counting the items that are shared by the two profiles, touches base upon the process of creating/maintaining a users profile counting for an item by specifying a preference data).

*As per Claim 2, Bieganski discloses:*

**A method as claimed in claim 1, further comprising a step of receiving information (201) of an availability of the first content item.**

(Column 13, line 8-10, If it is determined, at step 1208, that there are more items to be considered, then the processor selects the next item, touches base upon the mechanism of determining the content item availability).

*As per Claim 3, Bieganski discloses:*

**A method as claimed in claim 1, wherein the second preference value is similar to the first preference value.**

(Column 6, line 42-47, the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two profiles may be measured by counting the items that are shared by the two profiles, illustrates the comparison between the plurality of the user preference data).

*As per Claim 4, Bieganski discloses:*

**A method as claimed in claim 1, wherein the first preference value is a high preference value.**

(Column 2, line 64-66, Existing recommender systems generate recommendations by selecting the highest-ranking positive preference values, touches base upon the ranking values numerically thus inherently means the first preference value is the highest value).

*As per Claim 5, Bieganski discloses:*

**A method as claimed in claim 1, wherein an equivalence of the first preference value and the second preference value is determined in response to a degree of similarity between the first content item and the at least one related content item.**

(Column 6, line 42-47, the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two profiles may be measured by counting the items that are shared by the two profiles, illustrates the comparison process between preference data which the item the plurality of the user preference data).

*As per Claim 6, Bieganski discloses:*

**A method as claimed in claim 1, further including the steps of determining if the first content item is a new content item and wherein the steps of initializing, determining and setting are only performed if the first content item is new.**

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(Column 13, line 8-10, If it is determined, at step 1208, that there are more items to be considered, then the processor selects the next item, and column 6, line 12-13, The engine builds and maintains an interest profile for each user that occurs in the user preference data, touches base upon the process of creation of the user profile when a new item is identified which is part the preference data).

*As per Claim 7, Bieganski discloses:*

**A method as claimed in claim 2 wherein the information of an availability of the content item is received from a source which is not part of the community-based recommendation system.**

(Column 5, line 36-39, the user may receive recommendations from a wide range of sources, including, but limited to, population measures, community popularity data, expert opinions, illustrates the plurality of source of information in regards to the availability of an item).

*As per Claim 8, Bieganski discloses:*

**A method as claimed in claim 1, wherein the at least one related content item is determined from a category to which the first content item belongs.**

(Column 17, line 54-56, finding in items having audio/visual content. Such items include television programs, movies, radio programs, or a digital media programs and

(Column 18, line 10-12, another application area is textual information sources, which includes content collections, such as books or magazines, and other publications. Illustrates the grouping of content item).

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*As per Claim 9, Bieganski discloses:*

**A method as claimed in claim 8, wherein the category is determined from a correspondence of at least one of the following:**

**a. an artist; b. a content item type; and c. a music style.**

(Column 15, line 62-64, multimedia content area is music (CDs, tapes, DVDs, etc.). The users may discover musical artists that they would have never originally learned about, touches base upon the categorization mechanism in correspondence with an artist).

*As per Claim 10, Bieganski discloses:*

**A method as claimed in claim 1, further comprising the step of setting the first preference value in response to a predetermined preference value profile.**

(Column 6, line 42-47, the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two profiles may be measured by counting the items that are shared by the two profiles, illustrates the setup of preference values by taking in consideration profile preference data).

*As per Claim 11, Bieganski discloses:*

**A method as claimed in claim 10, wherein the first preference value determined in response to the predetermined preference value profile is determined in response to a characteristic of the first content item.**



(Column 6, line 42-47 , the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two profiles may be measured by counting the items that are shared by the two profiles, illustrates the setup of preference values by taking in consideration profile preference data and the shared item within the users profile).

*As per Claim 12, Bieganski discloses:*

**A method as claimed in claim i0, wherein the step of initializing (203) a first element of the user preference profile with the first preference value comprises determining a category of the first content item and setting the first preference value to the predetermined preference value profile for the category.**

(Column 6, line 10-engine 202 predicts a user's preference for each item in the dataset, without regard to serendipity. The engine builds and maintains an interest profile for each user that occurs in the user preference data, in conjunction with the above mentioned item categorization, indicates that the preference values in the profiles are corresponding to a certain type of target content item).

*As per Claim 13, Bieganski discloses:*

**A method as claimed in claim 1, further comprising the steps of:**

**initializing an element of a second user preference profile with a preference value, the element being associated with the first content item;**

(Column 2, line 20-25, the preference is presented as numerically valued data, the data value may represent a one-dimensional axis of preference, with the midpoint indicating an ambivalent preference for

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the item, a low value indicating a strong dislike for the item, and a high value indicating a strong preference for the item) and column 6, line 12-13, The engine builds and maintains an interest profile for each user that occurs in the user preference data, and Column 6, line 42-47 , the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two profiles may be measured by counting the items that are shared by the two profiles, touches base upon the process of creating/maintaining a user profile which contains the user preference data and their initial values).

**determining at least one related content item related to  
the first content item;**

(Column 1, line 63-66, recommender system determines its recommendations by examining previous user preference data. The preference data can be unary or numerically valued. Unary preference data is a set of customer-item pairs, illustrates the determination process of the item).

**and setting a further preference value of an element of the  
second user preference profile associated with the at least one  
related content item.**

(Column 2, line 20-25, the preference is presented as numerically valued data, the data value may represent a one-dimensional axis of preference, with the midpoint indicating an ambivalent preference for the item, a low value indicating a strong dislike for the item, and a high value indicating a strong preference for the item, indicates the use of plurality of preference values to an item).

*As per Claim 14, Bieganski discloses:*

**14. (currently amended) A computer program enabling a method to be carried out according to ~~any one of the preceding claims~~ claim I**

(Column 3, line 58-60, computer-readable program storage device, having a set of program instructions physically embodied thereon, executable by a computer, indicates the use of a computer).

*As per Claim 15, Bieganski discloses:*

**A record carrier comprising a computer program as claimed in claim 14.**

(Column 3, line 58-60, computer-readable program storage device, having a set of program instructions physically embodied thereon, executable by a computer, indicates the use of a computer).

*As per Claim 16, Bieganski discloses:*

**An apparatus for operating with content items in a community-based recommendation system;**

(Abstract, line 6-7, The system includes a processing system of one or more processors configured to receive applicable data that includes item recommendation data and community item popularity data).

**the apparatus comprising:**

**a receiver (117) for receiving information of an**

**availability of a first content item;**

(Column 5, line 36-39, the user may receive recommendations from a wide range of sources, including, but limited to, population measures, community popularity data, expert opinions, illustrates the plurality of source of information in regards to the availability of an item).

**an initialization processor (123) for initializing a  
first element of a user preference profile with a first preference  
value, the first element being associated with the first content  
a relation processor (125) determining at least one  
related content item related to the first content item;**

(Abstract, line 6-7, The system includes a processing system of one or more processors configured to receive applicable data that includes item recommendation data and community item popularity data, and Column 2, line 20-25, the preference is presented as numerically valued data, the data value may represent a one-dimensional axis of preference, with the midpoint indicating an ambivalent preference for the item, a low value indicating a strong dislike for the item, and a high value indicating a strong preference for the item) and column 6, line 12-13, The engine builds and maintains an interest profile for each user that occurs in the user preference data, and Column 6, line 42-47 , the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two profiles may be measured by counting the items that are shared by the two profiles, touches base upon the process of creating/maintaining a users profile generating a plurality of preference values and their initial values which are considered when attempting to make a recommendation).

**and a profile processor (127) for setting a second preference value of an element of the user  
preference profile associated with the at least one related content item.**

(Column 6, line 12-13, The engine builds and maintains an interest profile for each user that occurs in the user preference data, and Column 6, line 42-47 , the recommendation engine finds the set of people in the preference data who have the profiles most similar to the profile of a user. Similarity between two

profiles may be measured by counting the items that are shared by the two profiles, touches base upon the process of creating/maintaining a users profile counting for an item by specifying a preference data).

*As per Claim 17, Bieganski discloses:*

**A community-based recommendation system comprising an apparatus as claimed in claim 16.**

(Abstract, line 6-7, The system includes a processing system of one or more processors configured to receive applicable data that includes item recommendation data and community item popularity data).

## 6. Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yoon, Kyoung Ro et al, "User preference information structure having multiple hierarchical structure and method for providing multimedia information using the same" US Pub No. 20060129544

Gourdol, Arnaud et al "Graphical user interface for computers having variable size icons"

US Patent No. 7216304

Conrado, Claudine "Method and system for providing a user profile" US Patent No. 7010547

### Non-Patent literature:

Greg Linden, Steve Hanks, Neal Lesh "Interactive Assessment of User Preference Model:

The Automated Travel Assistant".

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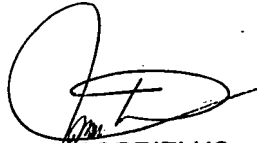
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarek Chbouki whose telephone number is 571-2703154. The examiner can normally be reached on Mon-Fri 7:30 am to 5:00 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chameli Das can be reached on 571-2701392. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA)

or 571-272-1000.

Tarek Chbouki  
TC  
Patent Examiner

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JEAN M. CORRIELUS  
PRIMARY EXAMINER  
Art unit 2162  
Date: 7/16/09